

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MITCH'S AUTO SERVICE	:	CIVIL ACTION
CENTER, Inc., et al.,	:	NO. 10-3413
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
STATE AUTOMOBILE MUTUAL	:	
INSURANCE COMPANY,	:	
	:	
Defendant.	:	

O R D E R

**AND NOW**, this **24th** day of **October, 2011**, it is hereby  
**ORDERED** that Defendant's motion for summary judgment (doc. no.  
20) is **GRANTED in part and DENIED in part** as follows:

- 1) Defendant's motion is **DENIED** as to Plaintiffs'  
Count One claim for breach of contract;
- 2) Defendant's motion is **GRANTED** as to Plaintiffs'  
Count Three statutory bad faith claim;

It is hereby further **ORDERED** that Plaintiffs' motion  
for leave to file a response brief (doc. no. 23) is **GRANTED**.<sup>1</sup>

**AND IT IS SO ORDERED.**

S/Eduardo C. Robreno  
EDUARDO C. ROBRENO, J.

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<sup>1</sup> The Court considered the substance of Plaintiffs' response brief in the disposition of Defendant's motion for summary judgment.